

JUDGE MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

VALENTINO GUY,

Defendant.

NO. CR05-391RSM

ORDER CONTINUING TRIAL

ORDER

In consideration of the Government's motion for continuance, and the Court being fully advised in the premises, the Court finds and rules as follows: This Court finds as facts those facts set forth in the Government's First and Second Motions for Continuance filed on behalf of all parties, and those facts set forth in the Motion for Continuance regarding Valentino Guy. Further, the Court finds that given the nature and seriousness of the charges in this case, the voluminous evidence in this case, the need to conduct adequate investigation, to consider defenses, to file any appropriate pre-trial motions, and to prepare for trial, as well as the desire by the parties to adequately explore resolution of this matter, this Court finds that the failure to grant the requested continuance would unreasonably deny the defendants effective assistance of counsel and, despite due diligence by all parties, result in a miscarriage of justice. Further, the Court further finds that given the volume and complexity of the evidence, the duration and extent of the alleged conspiracy, it is unreasonable to expect either the Government or defense counsel to be prepared to go to trial within the time allotted, and a further continuance of trial is warranted. Further, the Court finds that given the current trial date as to the remaining

defendants, it is wholly reasonable and appropriate that defendant's trial should go forward at the same time, as it will involve much of the same testimony, witnesses, and evidence.

The Court further finds, for the reasons set forth above, that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. For the foregoing reasons, the Government's motion for a continuance of trial is GRANTED. Trial is reset for September 11, 2006. The new motion cut-off date is August 1, 2006. The time from the filing of this motion for continuance, through the new trial date, is excluded under the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(7), 3161(h)(8)(A) and (B)(i)(ii) and (iv) as to the defendant.

DATED this 16th day of June, 2006.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE